

RESOLUTION NO. 2014-6

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, APPROVING A CONDITIONAL USE APPLICATION FOR A 1,930 SQUARE FOOT PACKAGE LIQUOR STORE LOCATED AT 12-22-24 CRANDON BOULEVARD, AS LEGALLY DESCRIBED ON EXHIBIT "A;" PROVIDING FOR FINDINGS; PROVIDING FOR CONDITIONS; PROVIDING FOR RECORDING; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 30-72 of the Village Code of Ordinances (the "Village Code"), Morgan Property Group (the "Applicant"), with the consent of the property owner Key Biscayne Gateway Partners, Ltd., submitted a Planning & Zoning Application bearing Public Hearing # CU-04 (the "Application") seeking approval of a 1,930 square foot package liquor store within a multi-tenant shopping center on an approximately 1.35 acre property, as legally described on Exhibit "A" (the "Property"); and

WHEREAS, on February 11, 2014, the Village Council conducted a duly noticed public hearing and considered the Application in its entirety as well as all testimony and other evidence presented and otherwise made part of the record.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAVNE, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. The Recitals set forth above are hereby adopted, confirmed, and incorporated herein.

Section 2. Findings. The Village Council, based upon all testimony and other evidence presented and otherwise made part of the record, finds that the Application has met all of the conditional use criteria set forth in Section 30-72(c) of the Village Code.

Section 3. Conditional Use Approved. The Application is hereby approved, subject to the conditions in Section 4 below.

Section 4. Conditions. The approval granted by this Resolution is subject to compliance with the following conditions:

1. That the use be established and maintained in accordance with the following plans: "Retail Package Wine & Liquor Store" prepared by Angel C. Saqui, FAIA, containing sheets A0.01 and A1.11, dated September 5, 2013, and Bohler Engineering, containing sheets C-1, dated October 10, 2013, and C-4, dated April 8, 2013, reduced copies of which are attached hereto as Exhibit "B."

2. Final non-appealable approval of Village Resolution No. 2014-5 with all conditions therein.

Section 5. Recording. This Resolution shall be recorded, prior to the issuance of a building permit, by the Applicant at its expense in the public records of Miami-Dade County. A copy of the proof of recordation shall be submitted to the Building, Zoning and Planning Department prior to the issuance of any building permits.

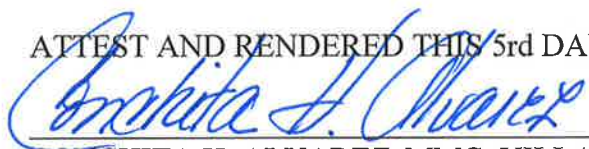
Section 6. Effective Date. This Resolution shall become effective immediately upon adoption.

Section 7. Appeal. Any appeal of this approval granted under this Resolution shall be filed within 30 days of rendition in accordance with Rule 9.100(c) of the Florida Rules of Appellate Procedure.

PASSED AND ADOPTED this 11th day of February, 2014.


MAYOR FRANKLIN CAPLAN

ATTEST AND RENDERED THIS 5th DAY OF MARCH 2014:


CONCHITA H. ALVAREZ, MMC, VILLAGE CLERK



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


VILLAGE ATTORNEY

EXHIBIT A

LEGAL DESCRIPTIONS:

That part of Tract 1, of Subdivision of a portion of **MATHESON ESTATE**, according to the Plat thereof, recorded in Plat Book 46, at Page 86 of the Public Records of Dade County, Florida, described as follows:

Beginning at the Northeast corner of Tract 1, run Southwest along the Easterly line of said Tract 1 a distance of 150 feet to a point; thence run West parallel to the North line of said Tract 1, a distance of 250 feet to a point; thence run Northeast parallel to the Easterly line of said Tract 1 a distance of 150 feet to a point on the North line of said Tract 1, thence run East along the North line of said Tract 1, a distance of 250 feet to the Point of Beginning.

PROPERTY ADDRESS: 12 CRANDON BOULEVARD, Key Biscayne, Florida. 33139

AND

A portion of Tract 1, Subdivision of a portion of **MATHESON ESTATE**, according to the Plat thereof, as recorded in Plat Book 46, at Page 86 of the Public Records of Dade County, Florida, described as follows:

Commencing at the Northeast corner of said Tract 1, thence run Southwest along the Easterly line of said Tract 1, a distance of 150 feet to the point of beginning of the parcel of land hereinafter to be described; thence run Southwest along the Easterly line of said Tract 1, a distance of 113.32 feet to a point; thence run West parallel to the North line of said Tract 1, a distance of 250 feet to a point; thence run Northeast parallel to the Easterly line of Tract 1, a distance of 113.32 feet to a point; thence run East parallel to the North line of Tract 1, a distance of 250 feet to the Point of Beginning.

PROPERTY ADDRESS: 22-24 CRANDON BOULEVARD, Key Biscayne, Florida. 33139

LOCATION MAP

SCALE: 1"=100'



LEGAL DESCRIPTIONS:

PARCEL 1:

That part of Tract 1, of Subdivision of a portion of **MATHESON ESTATE**, according to the Plat thereof, recorded in Plat Book 46, at Page 86 of the Public Records of Dade County, Florida, described as follows:

Beginning at the Northeast corner of Tract 1, run Southwesterly along the Easterly line of said Tract 1 a distance of 150 feet to a point; thence run West parallel to the North line of said Tract 1, a distance of 250 feet to a point; thence run Northeasterly parallel to the Easterly line of said Tract 1 a distance of 150 feet to a point on the North line of said Tract 1, thence run East along the North line of said Tract 1, a distance of 250 feet to the Point of Beginning.

PROPERTY ADDRESS: 12 CRANDON BOULEVARD, Key Biscayne, Florida, 33139

AND

PARCEL 2:

A portion of Tract 1, Subdivision of a portion of **MATHESON ESTATE**, according to the Plat thereof, as recorded in Plat Book 46, at Page 86 of the Public Records of Dade County, Florida, described as follows:

Commencing at the Northeast corner of said Tract 1, thence run Southwesterly along the Easterly line of said Tract 1, a distance of 150 feet to the point of beginning of the parcel to be described; thence run Southwesterly along the Easterly line of said Tract 1, a distance of 113.32 feet to a point; thence run West parallel to the North line of said Tract 1, a distance of 250 feet to a Point; thence run Northeasterly parallel to the Easterly line of Tract 1, a distance of 113.32 feet to a point; thence run East parallel to the North line of Tract 1, a distance of 250 feet to the Point of Beginning.

PROPERTY ADDRESS: 22-24 CRANDON BOULEVARD, Key Biscayne, Florida, 33139

LEGEND:

F.N. = FOUND NAIL

S.I.P. = SET IRON PIPE

L.F.E. = LOWEST FLOOR ELEVATION

(R) = RECORD

(M) = MEASURED

—●— WOOD POLE WITH OVERHEAD ELECTRIC LINE

▨ = CONCRETE AREAS

▩ = PAVED AREAS

—○— 8' HIGH METAL FENCE

—○— CHAIN LINK FENCE

EM = ELECTRIC METER

■ = CATCH BASIN

C.B.S. = CONCRETE BLOCK STRUCTURE

⊗ = WATER METER

⊕ = SANITARY SEWER MANHOLE

☼ = CONC. LIGHT POLE

☎ = PHONE BOOTH

⊙ = CLEAN OUT

—○— = CENTER LINE

J. F. LOPEZ & ASSOCIATES, INC.

CONSULTING LAND SURVEYORS AND PLANNERS

CERTIFICATE N° LB.3192, STATE OF FLORIDA

7900 NW. 155th ST, SUITE 104, MIAMI LAKES, FL.33016

Ph: (305) 828-2725 Fax: (305) 828-3589

HEREBY CERTIFY: THAT A SURVEY OF THE PROPERTY AS DESCRIBED IN THE FOREGOING CAPTION HAS BEEN MADE UNDER MY DIRECTION, AND MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17-05, OF FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, BELIEF AND PROFESSIONAL JUDGEMENT.

THIS IS NOT A VALID SURVEY WITHOUT THE UNDERSIGNED SURVEYOR'S SIGNATURE AND EMBOSSED RAISED SEAL.

BY:

Jose F. Lopez
JOSE F. LOPEZ, P.S.M.
Professional Surveyor & Mapper
N°3086, State of Florida.

SURVEYOR'S NOTES:

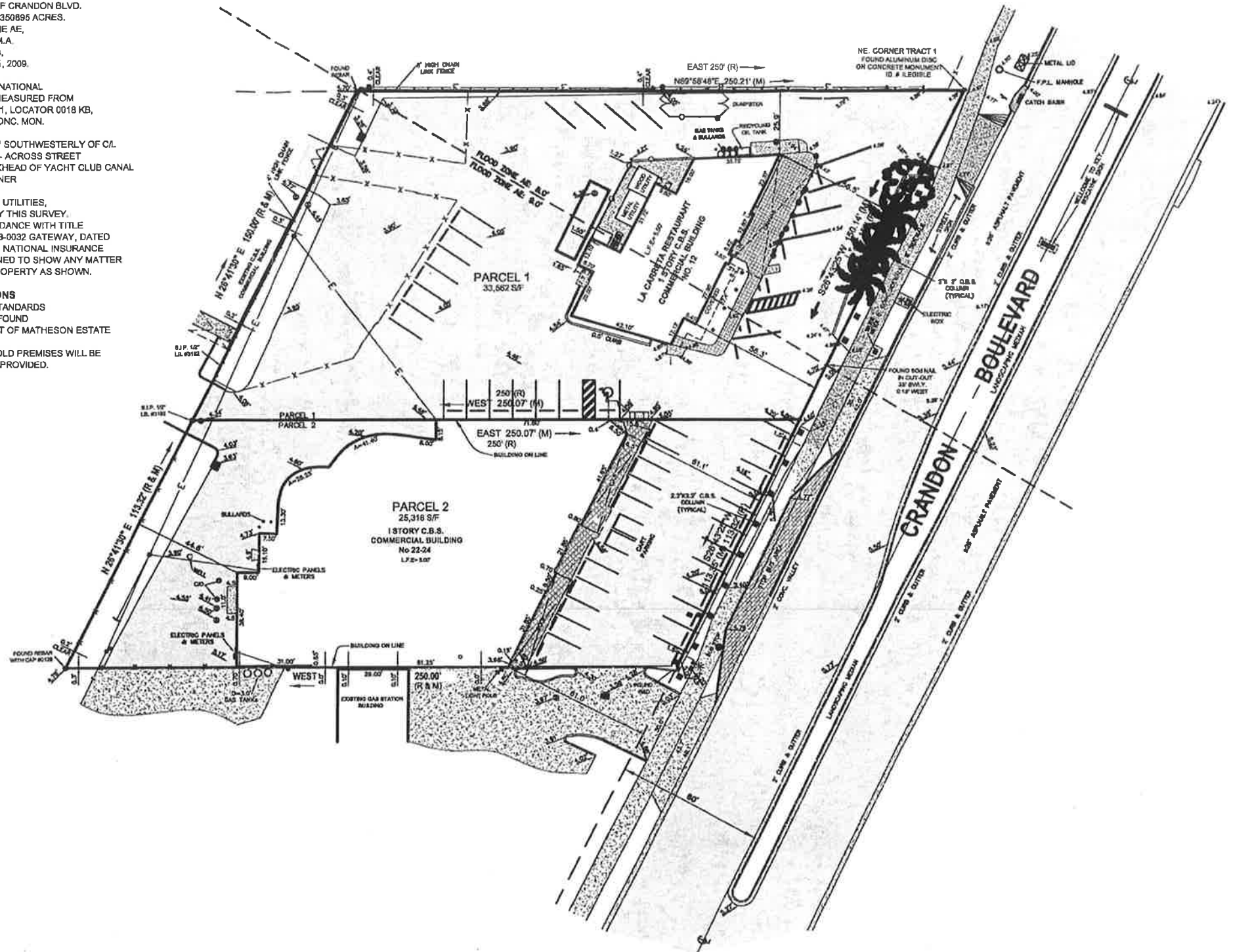
- 1- TYPE OF SURVEY: BOUNDARY & ELEVATIONS
- 2- BEARINGS & DISTANCES SHOWN ARE IN SUBSTANTIAL COMPLIANCE WITH THOSE RECORDED UNLESS OTHERWISE NOTED.
- 3- BEARINGS ARE BASED ON AN ASSUMED VALUE OF S 28°41'30" W ALONG THE WEST R/W LINE OF CRANDON BLVD.
- 4- PROPERTY AREA: 68,845 SQUARE FEET = 1.350895 ACRES.
- 5- THIS PROPERTY IS LOCATED IN FLOOD ZONE AE, BASE FLOOD ELEVATION: 9.0', AS PER F.E.M.A. MAP COMMUNITY No.120648, PANEL No.0483, SUFFIX L, LAST REVISED ON SEPTEMBER 11, 2009.
- 6- ALL ELEVATIONS THUS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, AS MEASURED FROM MIAMI DADE COUNTY, BENCHMARK No MI-11, LOCATOR 0018 KB, ELEVATION: 4.35' AND IS A BRASS BAR IN CONC. MON. HARBOR DRIVE — 48' NORTH OF C/L KEY BISCAYNE YACHT CLUB DRIVE — 32.7' SOUTHWESTERLY OF C/L OF GATE ADDRESS # 191 HARBOR DRIVE — ACROSS STREET 15.6' NORTHEASTERLY OF NE. END OF BULKHEAD OF YACHT CLUB CANAL
- 7- LEGAL DESCRIPTION AS PROVIDED BY: OWNER
- 8- USE OF PROPERTY: COMMERCIAL
- 9- UNDERGROUND FOOTINGS, FOUNDATIONS, UTILITIES, OR SEPTIC TANKS WHERE NOT LOCATED BY THIS SURVEY.
- 10- THIS SURVEY HAVE BEEN MADE IN ACCORDANCE WITH TITLE COMMITMENT AGENTS FILE REFERENCE 13-0032 GATEWAY, DATED MARCH 22, 2013, ISSUED BY OLD REPUBLIC NATIONAL INSURANCE COMPANY, FURNISHED TO THE UNDERSIGNED TO SHOW ANY MATTER OF RECORDS AFFECTING THE SUBJECT PROPERTY AS SHOWN.

SCHEDULE B-2 EXCEPTIONS

- ITEMS 1, 2, 3, 5, 6, 7, 8, 9, 10 AND 11 ARE STANDARDS
- ITEM 2C: NO ENCROACHMENT HAS BEEN FOUND
- ITEM 4: MATTERS CONTAINED ON THE PLAT OF MATHESON ESTATE AFFECT THE SUBJECT PROPERTY.
- ITEM 12: LEGAL DESCRIPTION OF LEASEHOLD PREMISES WILL BE PREPARED WHEN BOUNDARIES BE PROVIDED.

SKETCH OF SURVEY

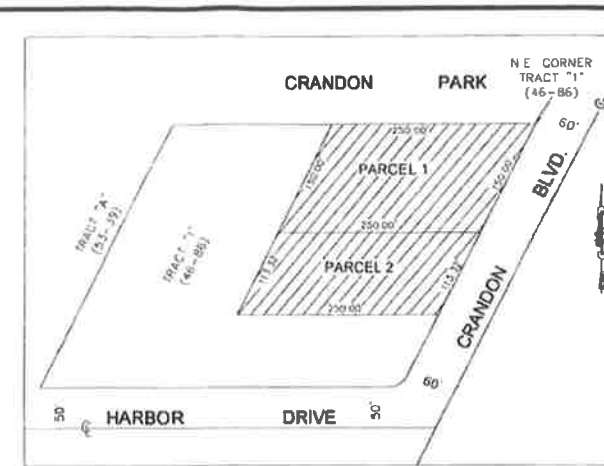
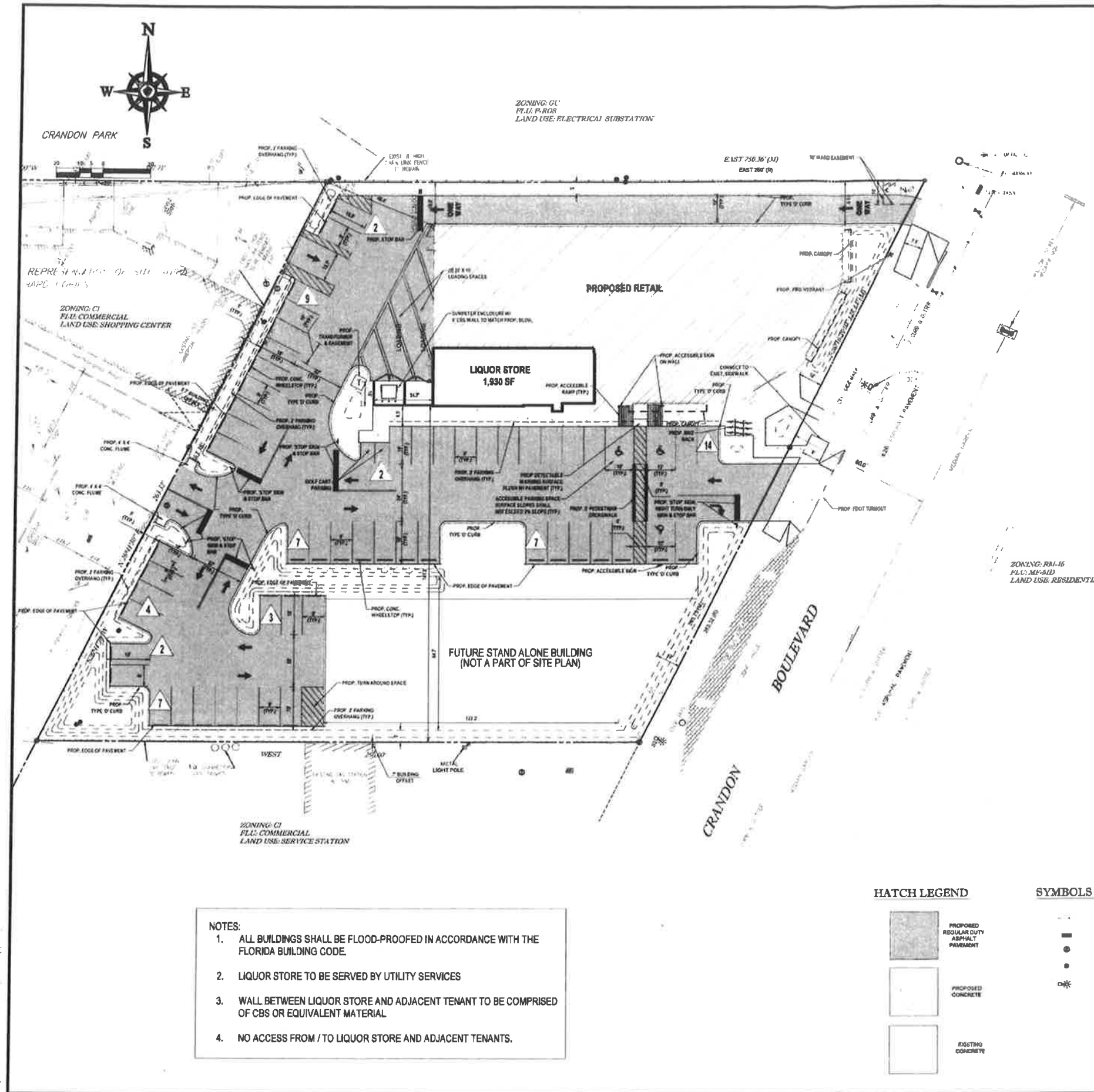
SCALE: 1"=20'



CERTIFIED TO:

Walgreens Co.,
Attorneys' Title Fund Services, LLC,
Key Biscayne Gateway Partners, Ltd., a Florida limited partnership.
and Florida Investment Partners, Inc.

APRIL 6, 2013	120813	JFL	ON FILE	110638-110617	ADD NEW TITLE COMMITMENT
SEPTEMBER 8, 2012	120813	JFL	ON FILE	110638-110617	REVISED, UPDATED & RECERTIFIED
MAY 21, 2012	120507	JFL	H6-45	110638	RECERTIFICATION
JUNE 18, 2011	110617	JFL	H6-45	110617	REVISED & UPDATED
MAY 23, 2009	090515	JFL	H6-45	090515	REVISED & UPDATED
APRIL 04, 2007	070370	MT.P.	H6-45	070370	REVISED & UPDATED
DECEMBER 04, 2006	061133	MT.P.	H6-45	061133	BOUNDARY SURVEY & ELEVATIONS
DATE OF FIELD WORK:	ORDER N°	DRAWN BY:	FIELD BOOK:	CAD FILE:	REVISIONS:



LOCATION MAP
SCALE 1"=100'

SITE DATA

ZONING: C-1 (COMMERCIAL LOW INTENSITY)
FLL: COMMERCIAL

BUILDING AREA	10,000 SF
PROPOSED RETAIL (FIRST FLOOR)	2,628 SF
PROPOSED RETAIL STORAGE (MEZZANINE)	1,820 SF
LIQUOR STORE	1,930 SF
TOTAL AREA	14,558 SF

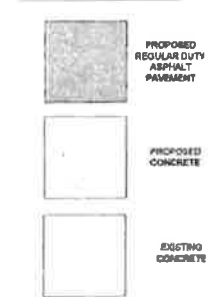
	TOTAL	CENTER	FUTURE STAND ALONE BUILDING
LOT AREA	58,116 SF (1.36 AC) 100%	48,844 (1.07 AC)	8,971 (15.2%)
PERVIOUS AREA	11,234 SF (0.26 AC) 19.1%	2,263 (3.9%)	0,971 (15.2%)
IMPERVIOUS AREA	47,881 SF (1.09 AC) 80.9%	47,581 (99.9%)	0 (0%)
MAX LOT COVERAGE	30%	23.3%	0%
FAR (MAX)	0.5	0.25	0.2
MAX HEIGHT	3 STORY (35')	1 STORY (10.5')	N/A
MINIMUM SETBACKS			
FRONT (EAST)	10'	7'	
REAR (WEST)	0'	46.4'	
SIDE (NORTH)	0'-30'	18.3'	
SIDE (SOUTH)	0'-30'	141.2'	

REQUIRED USE	AREA	RATIO	SPACES
PROPOSED RETAIL (FIRST FLOOR)			
RETAIL	8,300 SF	1/228	42.6
STORAGE	425 SF	1/2,000	0.3
PROPOSED RETAIL (MEZZANINE)	2,628 SF	1/2,000	1.3
LIQUOR STORE	1,400 SF	1/220	6.5
RETAIL STORAGE	500 SF	1/2,000	0.3
TOTAL			51 SPACES

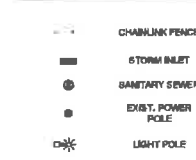
PROVIDED	
REGULAR SPACES	52
ADA SPACES	3
GOLF CART	2
TOTAL	57

FEMA FLOOD ZONE AE (EL. 8.0 & 9.0 NGVD)

HATCH LEGEND



SYMBOLS LEGEND



ALL BUILDINGS SHALL BE FLOOD-PROOFED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.

- NOTES:
1. ALL BUILDINGS SHALL BE FLOOD-PROOFED IN ACCORDANCE WITH THE FLORIDA BUILDING CODE.
 2. LIQUOR STORE TO BE SERVED BY UTILITY SERVICES
 3. WALL BETWEEN LIQUOR STORE AND ADJACENT TENANT TO BE COMPRISED OF CBS OR EQUIVALENT MATERIAL
 4. NO ACCESS FROM / TO LIQUOR STORE AND ADJACENT TENANTS.

BOHLER ENGINEERING

CIVIL & CONSULTING ENGINEERS
SURVEYORS
PROJECT MANAGERS
ENVIRONMENTAL CONSULTANTS
LANDSCAPE ARCHITECTS

OFFICES:
WILMINGTON, NC
CHARLOTTE, NC
CHICAGO, IL
DENVER, CO
FORT LAUDERDALE, FL
FORT MYERS, FL
FORT WORTH, TX
HOUSTON, TX
JACKSONVILLE, FL
MIAMI, FL
MIAMI BEACH, FL
MIAMI GARDENS, FL
MIAMI LAKES, FL
MIAMI SPRING, FL
MIAMI VALLEY, FL
MIAMI WOODS, FL
MIAMI BEACH, FL
MIAMI GARDENS, FL
MIAMI LAKES, FL
MIAMI SPRING, FL
MIAMI VALLEY, FL
MIAMI WOODS, FL

REV	DATE	REVISIONS	BY
1	04-08-13	REVISED PER CITY COMMENTS	LOT
2	10-10-13	ADDRESS CITY COMMENTS	JPV

NOT FOR CONSTRUCTION

PROJECT NO.: P120070
DRAWN BY: JPV
CHECKED BY: JPV
DATE: 01-10-13
SCALE: AS NOTED
CADD: P120070 SITE PLAN

PROJECT: CRANDON BLVD. & CRANDON PARK
FOR MORGAN PROPERTIES

VILLAGE OF KEY BAY
MIAMI-DADE COUNTY, FLORIDA

BOHLER ENGINEERING

MICHAEL A. TROXEL
Professional Engineer
No. 1212
FLORIDA LICENSE No. 1212
FLORIDA BUSINESS CERT. OF AUTH. No. 1212

CUP SITE PLAN
SHEET NUMBER
C-1

[illegible]

